

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

DEFENDANTS IN ADVERSARY
PROCEEDINGS LISTED ON EXHIBIT A,¹

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. Nos. listed on Exhibit A

**DECLARATION OF DAVID J. SHEEHAN IN SUPPORT OF THE
MEMORANDUM OF LAW IN SUPPORT OF TRUSTEE'S MOTION FOR
LIMITED ADDITIONAL DISCOVERY BASED ON PRIOR ORDERS
AUTHORIZING DEPOSITION OF BERNARD L. MADOFF**

I, David J. Sheehan, declare the following:

1. I am a Partner with the law firm Baker Hostetler LLP, counsel to Irving Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”). I submit this declaration in

¹ See Exhibit A, Schedule of Remaining Good Faith Actions, annexed to the Trustee’s Motion.

support of the Memorandum of Law in Support of the Trustee's Motion for Limited Additional Discovery Based on Prior Orders Authorizing Deposition of Bernard L. Madoff.

2. Attached hereto as **Exhibit 1** is the Order Authorizing the Deposition of Bernard L. Madoff dated September 29, 2016 (ECF No. 14213).

3. Attached hereto as **Exhibit 2** is the Order Authorizing the Continued Deposition of Bernard L. Madoff on Day Two Topics dated September 11, 2017 (ECF No. 16625).

4. Attached hereto as **Exhibit 3** is the Stipulation and Order Agreeing to Hold Discovery Deadlines in Abeyance dated August 10, 2017 (ECF No. 16494).

5. Attached hereto as **Exhibit 4** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated December 20, 2016.

6. Attached hereto as **Exhibit 5** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated April 26, 2017.

7. Attached hereto as **Exhibit 6** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated April 27, 2017.

8. Attached hereto as **Exhibit 7** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated November 8, 2017.

9. Attached hereto as **Exhibit 8** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated November 9, 2017.

Dated: September 21, 2018
New York, New York

Respectfully submitted,

/s/ David J. Sheehan
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Tel: (212) 589-4200
Fax: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*